

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIAN HEMENWAY,  
Plaintiff(s),  
v.

ERIC K. SHINSEKI,  
Defendant(s).

No. C-11-00505 DMR

**ORDER TAKING DEFENDANT'S  
MOTION TO DISMISS UNDER  
SUBMISSION WITHOUT ORAL  
ARGUMENT**

TO ALL PARTIES AND COUNSEL OF RECORD:

The court has received Defendant's Motion to Dismiss [Docket No. 43] and finds that the matter is appropriate for resolution without oral argument pursuant to Civil Local Rule 7-1(b). Accordingly, the May 24, 2012 hearing on the motion is hereby VACATED. The court will issue a written order on the motion.

IT IS SO ORDERED.

Dated: May 14, 2012

